

offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the clause "or disapproved" is omitted from the second paragraph, Page 1, Division I;
 2. In that the participation shown in Item 1, Division II, is incorrect;
 3. In that the gross production tax shown in Item 11 (b), Division II, is incorrect;
 4. In that the total production shown in Item 15, Division II, is not in accord with the total of the figures shown in Item 16 (a), Division II;
 5. In that the price of oil given in Item 16 (e), Division II, is not correct, in view of the gravity of oil shown in Item 18 (b);
 6. In that the signature form at the end of Division II is undated;
 7. In that the legal description is omitted from Exhibit B;
- It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 8th day of October 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that John H. Small, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 23rd day of September 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS, *Acting Secretary.*

[F. R. Doc. 2154—Filed, September 9, 1936; 12:49 p. m.]

Saturday, September 12, 1936

No. 130

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48516]

CUSTOMS REGULATIONS AMENDED—PROOF OF LIQUORS

CUSTOMS REGULATIONS OF 1931 AMENDED TO OMIT SPECIFIC REFERENCE TO NAME OF HYDROMETER TO BE USED BY COLLECTORS OF CUSTOMS, AND TO PROVIDE THAT NOTATIONS OF PROOF SHALL CONFORM TO GAUGING MANUAL OF TREASURY DEPARTMENT

To Collectors of Customs and Others Concerned:

Pursuant to authority contained in R. S. 2918 (U. S. C., title 19, sec. 390), Paragraph 811 and Section 624 of the Tariff Act of 1930 (U. S. C., title 19, secs. 1001 and 1624), Article 1364 of the Customs Regulations of 1931 is amended to read as follows:

ART. 1364. *Proof of Liquors.*—The proof of liquors will be ascertained by a standard hydrometer, and the notations of proof

shall conform to the scales of the hydrometer as shown in the gauging manual of the Treasury Department.

[SEAL]

FRANK DOW,
Commissioner of Customs.

Approved, September 4, 1936.

JOSEPHINE ROCHE,
Acting Secretary of the Treasury.

[F. R. Doc. 2172—Filed, September 11, 1936; 10:15 a. m.]

[T. D. 48517]

CUSTOMS REGULATIONS AMENDED—DRAWBACK

CUSTOMS REGULATIONS OF 1931, RELATING TO T. & E. SHIPMENTS AND SHIPMENTS EXPORTED ON THROUGH BILLS OF LADING, AMENDED

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in Section 251, Revised Statutes (U. S. C., title 19, sec. 66), and Sections 131 (1) (U. S. C., title 19, sec. 1313 (1)) and 624 (U. S. C., title 19, sec. 1624) of the Tariff Act of 1930, the Customs Regulations of 1931 are hereby amended as follows:

Paragraphs (a) and (h) of Article 1024, as amended by Treasury Decision 47911, are amended to read as follows:

ART. 1024. *Same—Transportation and Exportation Shipments.*—(a) Merchandise which is to be transported, either coastwise or inland, from one customs port to another to be exported thence, whether or not covered by a through bill of lading, may be entered for drawback at the port of origin.

(h) The transfer, lading, and inspection of these shipments shall be made under the regulations covering shipments in bond (Chapter XVI). The shipper's export declaration shall be executed on Customs Form 7525 and filed at the port of exit.

The heading of Article 1025 is amended to read as follows:

ART. 1025. *Same—Exportations on Through Bills of Lading from Places at Which no Customs Officer is Located.*

Article 1026 is amended to read as follows:

ART. 1026. *Same—Shipments on Local or Through Bills of Lading to Port of Exit.*—Shipments of merchandise transported, without compliance with the regulations relating to transportation and exportation shipments, to the seaboard or frontier port under either local or through bills of lading and thence to the foreign destination, are considered local or direct exportations from the port of exit from the United States and notices of intent shall be filed in accordance with the provisions of article 1023.

Paragraphs (b) and (c) of Article 1035 are amended to read as follows:

(b) Failure to obtain inspection at both ports will not bar the payment of drawback, provided an opportunity to inspect was furnished by filing a timely notice of intent and manifest with the collector or with the inspector at the port of origin, by delivering the manifest to the inspector at the port of exit, by completing the mail copy of the manifest and notice of intent at the port of exit in accordance with the regulations, or by filing a notice of intent with the collector or inspector at the port of exit as in the case of local or direct exportations; and further provided that the failure of inspection was not due to any act or omission on the part of the shipper, the carrier, or the agent of either.

(c) When the shipment is not officially inspected and laden at the port of exit, the collector at that port will, upon the request of the shipper or his agent, specifying the exporting carrier, the name of the vessel or the number and initials of the car and the date of exportation, indorse the copy of the notice of intent received by him to show the facts of exportation of the merchandise as indicated by the records of the exporting carrier or outward manifest of the exporting vessel, and return the notice of intent to the port of origin. A copy of the notice of intent so indorsed may be accepted in lieu of the inspector's return of lading, provided the merchandise was officially inspected and laden at the port of origin or there was an opportunity to inspect as provided in the preceding paragraph of this article.

The heading of Article 1036 is amended to read as follows:

ART. 1036. *Same—Shipments on Through Bills of Lading from Places at Which no Customs Officer is Located.*

[SEAL]

FRANK DOW,
Acting Commissioner of Customs.

Approved, September 5, 1936.

JOSEPHINE ROCHE,
Acting Secretary of the Treasury.

[F. R. Doc. 2173—Filed, September 11, 1936; 10:15 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

SR—B-1, Revised
Supplement (1), Revised

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 1, REVISED

Supplement (i), Revised

Supplement (i) to Southern Region Bulletin No. 1, Revised, is hereby amended to read as follows:

Section 3, part V of Southern Region Bulletin No. 1, Revised, is hereby amended by adding the following paragraph:

(h) In the Texas and Oklahoma counties listed below the soil-conserving payment shall be divided as follows:

(1) The soil-conserving payment with respect to each farm on which there is diversion from the general soil-depleting base only, shall be divided in the same proportion as the principal soil-depleting crop or the proceeds thereof are divided under the lease or operating agreement. The term "principal soil-depleting crop", as used herein, means the soil-depleting crop to which the greatest number of acres on the farm is devoted. If there is no soil-depleting crop which has a larger acreage than any other soil-depleting crop on the farm, the principal soil-depleting crop shall be the soil-depleting crop on the farm which is of major importance in terms of acreage in the county in which such farm is located.

(2) On each farm where there is diversion from both depleting bases, the soil-conserving payment with respect to such farm shall be divided as follows:

(a) The person who furnishes the land shall receive that percentage of the total soil-conserving payment which is computed by adding to such person's share of the principal general soil-depleting crop grown on the farm one-sixth¹ of the percentage which the acreage diverted from the cotton soil-depleting base is of the total acreage diverted from all soil-depleting bases.

(b) The person or persons other than the person who furnishes the land, who share in the crops produced shall receive the remainder of the soil-conserving payment.²

(3) Except as otherwise provided the soil-conserving payment on all other farms shall be divided in accordance with section 3 (a), part V of Southern Region Bulletin No. 1, Revised.

The counties in Texas are: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Deaf Smith, Randall, Armstrong, Greer, Farmer, Castro, Swisher, Briscoe, Bailey, Cochran, Yoakum, Terry, Crosby, and Floyd.

The counties in Oklahoma are: Delaware, Mayes, Rogers, Washington, Osage, Pawnee, Payne, Logan, Oklahoma, Cleveland, McClain, Stephens, Jefferson, Kay, Cimarron, Blaine, Grant, Ellis, Dewey, Alfalfa, Woodward, Roger Mills, Woods, Major, Beckham, Harper, Garfield, Custer, Beaver, Noble, Canadian, Texas, Kingfisher, Caddo, Washita, Harmon, Greer, Kiowa, Grady, Cotton, Tillman, Jackson, Comanche, Nowata, Craig, and Ottawa.

In witness whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 10th day of September 1936.

[SEAL]

W. R. GREGG,
Acting Secretary of Agriculture.

[F. R. Doc. 2180—Filed, September 11, 1936; 12:04 p. m.]

DEPARTMENT OF COMMERCE.

Bureau of Marine Inspection and Navigation.

SEPTEMBER 11, 1936.

Pursuant to the authority conferred upon me by the Act of May 27, 1936 (Pub. No. 622, 74th Congress), amending

¹This fraction (one-sixth) is applicable only where the person who furnishes the land receives one-third of the principal general soil-depleting crop. If the person who furnishes the land receives one-fourth of the principal general soil-depleting crop the fraction one-fourth would be used, or if he receives two-fifths, one-tenth would be used; in other words, the fraction of the crop which the person furnishing the land receives subtracted from one-half gives the fraction to use in this position.

²If two or more persons, other than the person(s) who furnish(es) the land, are entitled to share in the crops produced the remainder of the soil-conserving payment shall be divided between such persons on the basis of their relative interest in such crops.

Sec. 4450 R. S. entitled, "An Act to provide for a change in the designation of the Bureau of Navigation and Steamboat Inspection, to create a Marine Casualty Board and increase efficiency in administration of the Steamboat Inspection laws, and for other purposes", I hereby promulgate the following rules and regulations and classification of marine casualties and accidents, not involving loss of life, for the investigation of marine casualties and accidents or acts of incompetency or misconduct by licensed officers or holders of certificates of service or efficiency, as provided under Sec. 4 of the Act of May 27, 1936.

Effective on and after September 11, 1936.

[SEAL]

J. M. JOHNSON,
Acting Secretary of Commerce.

RULES AND REGULATIONS FOR THE INVESTIGATION OF MARINE CASUALTIES AND ACCIDENTS OR ACTS OF INCOMPETENCY OR MISCONDUCT BY LICENSED OFFICERS OR HOLDERS OF CERTIFICATES OF SERVICE OR EFFICIENCY

SHORT TITLE

These rules may be cited as the "Marine Investigation Board Rules, 1936."

RULE I

Marine Investigation Boards

SECTION 1. "B Marine Investigation Board."—The Board appointed for the investigation of a Marine Casualty or accident or other matter, not involving loss of life, classified by the Secretary of Commerce as serious; also any alleged act of incompetency or misconduct in connection therewith committed by a licensed officer or a holder of a certificate of service or efficiency, shall be known as the "B Marine Investigation Board."

SECTION 2. "C Marine Investigation Board."—The Board appointed for the investigation of a Marine casualty or accident or other matter, not involving loss of life, classified by the Secretary of Commerce as less serious; also any alleged act of incompetency or misconduct whether or not committed in connection with such marine casualty or accident, by a licensed officer or holder of a certificate of service or efficiency, shall be known as the "C Marine Investigation Board."

SECTION 3. The B Marine Investigation Board may be addressed "The B Marine Investigation Board, Department of Commerce, Washington, D. C." The C Marine Investigation Board may be addressed "The C Marine Investigation Board, Department of Commerce, Washington, D. C."

SECTION 4. The permanent dockets and records of the Boards shall be kept in the Bureau of Marine Inspection and Navigation, Department of Commerce, Washington, D. C. Their public records shall be open for inspection at reasonable times.

RULE II

Definitions

In these rules, unless the context or subject matter otherwise requires—

SECTION 1. Marine casualties and accidents not involving loss of life shall include—

(a) Any marine casualty or accident involving any vessel, near the coast or within the navigable waters of the United States, its territories or possessions.

(b) Any marine casualty or accident involving any American vessel, or vessel owned by any person domiciled in the United States, wherever such casualty or accident may occur.

SECTION 2. When used in these rules—

(a) The term "party in interest" shall mean any person whom the Board shall find to have a direct interest in the investigation conducted by it and shall include an owner, a charterer, or the agent of such owner or charterer, of the vessel or vessels involved in the marine casualty or accident, and all licensed or certificated personnel whose conduct, whether or not involved in a marine casualty or accident, is under investigation by that Board.

(b) The term "the Act" shall mean the Act of May 27, 1936, Public, No. 622, amending Section 4450 R. S.

RULE III

Notice of Marine Casualty or Accident

SECTION 1. Whenever there is a marine casualty or accident not involving loss of life, immediate notice thereof by telegram or radiogram or equally prompt means of communication shall be given by the master, owner, charterer, or agent of the vessel or vessels involved to the nearest local office of the Bureau of Marine Inspection and Navigation of the Department of Commerce, or to the Bureau of Marine Inspection and Navigation, Department of Commerce, Washington, D. C. Such notice shall furnish the names of the vessel or vessels involved, the owner or agent, the nature and cause of the casualty or accident, the locality, the nature of injuries to persons, and damage done to property. Such notices shall be in addition to any other notice required to be given by existing law and regulation. Any officer or employee of the United States or any other person having material knowledge or information concerning a marine casualty or accident shall immediately bring such information to the attention of the Bureau of Marine Inspection and Navigation.

RULE IV

Voyage Records

SECTION 1. The owner, charterer, agent, master, or other licensed officer of any vessel involved in a marine casualty or accident shall retain the voyage records of the vessel, including both rough and smooth deck and engine room logs, bell books, navigation charts, navigators' work books, compass deviation cards, stowage plans, records of draft, aids to mariners, radiograms sent and received, and the radio log, and crews' and passengers' lists, which upon request shall be produced for the inspection of the Board or its agents whenever required.

RULE V

Questionnaire

SECTION 1. In order to facilitate the work of the Board any party in interest or other person shall, within such time as designated after any questionnaire respecting matters relating to a casualty or accident shall have been served upon them, file with the Board or its designated agent the exact information requested by such questionnaire.

RULE VI

Preliminary Investigation

SECTION 1. When a marine casualty or accident not involving loss of life has occurred an investigation shall be promptly instituted by the appropriate Board.

SECTION 2. Upon the happening of a marine casualty or accident not involving loss of life a preliminary investigation may be conducted by employees of the Bureau of Marine Inspection and Navigation regularly assigned by the Director for that purpose. When necessary beyond territorial limits of the United States, such preliminary investigation may be conducted by an American Consul. Reports of all such preliminary investigations shall be promptly forwarded to the appropriate Board. If during the course of any preliminary investigation there shall be reason to believe that serious misconduct on the part of any person has taken place the appropriate Board shall immediately be notified.

RULE VII

Hearings

SECTION 1. The Board shall determine, so far as possible, the cause of any casualty or accident and the persons responsible therefor.

SECTION 2. Whenever a charge has been placed against a licensed officer or holder of a certificate of service or efficiency he shall be entitled to a copy of the charge prepared by the appropriate board and shall be given reasonable notice of the time and place of hearing and an opportunity of making a defense.

SECTION 3. The Chairman of the Board shall administer all necessary oaths to any witnesses appearing before it.

SECTION 4. Any party in interest to a proceeding before the board shall have the right to appear at such proceeding in person, or by counsel, to call, examine, and cross-examine witnesses, and to introduce into the record documents or other evidence. Appearance of any counsel representing a party to a proceeding before the board should be entered and filed prior to the commencement of the proceeding.

SECTION 5. The whole record of the testimony received by the Board conducting an investigation and the findings and recommendations of such Board shall be forwarded to the Director of the Bureau of Marine Inspection and Navigation.

SECTION 6. If the Director shall find that such licensed officer or holder of certificate of service or efficiency is incompetent or has been guilty of misbehavior, negligence, or unskillfulness, or has endangered life, or has willfully violated any of the provisions of this title or any of the regulations issued thereunder, or any other law or regulation providing for safety at sea, he shall, in a written order reciting said findings, suspend or revoke the license or certificate of service or efficiency of the holder of such certificate.

SECTION 7. When any party to a proceeding before the Board desires an extension of time or that a hearing be continued to another date he shall be allowed to apply for such extension of time or continuance by addressing his reason therefor in writing to the Board. Such application should be filed at least three days prior to the date set for hearing. The Board will then rule on the application and grant such extension of time or continuance for good cause shown. In the event any party in interest in a proceeding fails to file his application for a continuance within the time hereinbefore set forth, the Board may in its discretion still entertain such an application at any time before actual hearing, provided it is made to appear that the failure to file his application timely within these rules was due excusably to causes beyond the control of such party.

RULE VIII

Attendance of Witnesses—Production of Records

SECTION 1. Subpoena requiring the attendance of witnesses may be issued by any member of the Board, and may be served by a United States Marshal or his deputy, by a local inspector or by any person specially appointed by the Board for that purpose and not otherwise. When service is made by any person other than a United States Marshal or his deputy, such person shall describe by affidavit the manner in which service is made, and return to the Board such affidavit on or with the original subpoena in accordance with the form thereon. In case of failure to make service the reason for failure shall be stated on the original subpoena. In making service the original subpoena shall be exhibited to the person served, shall be read to him if he is unable to read, and a copy thereof shall be left with him.

SECTION 2. Subpoena for the production of books, papers, documents, and any other evidence (Subpoena Duces Tecum) unless directed by the Board of its own motion, will, issue only upon application in writing. No subpoena duces tecum shall be issued in any cause without an order of the Board. Applications to compel witnesses who are not parties to the proceedings, or agents of such parties, to produce documentary evidence must be verified and must specify, as nearly as may be the books, papers, documents, and any other evidence desired and the facts to be proved by them. Applications to compel a party to the proceedings to produce books, papers, documents, and any other evidence, should set forth, the books, papers, documents, and any other evidence sought with the showing that it will be of service in the determination of the proceeding.

SECTION 3. Any attempt to coerce any witness, or to induce them to testify falsely in connection with a shipping casualty, or to induce them to leave the jurisdiction of the United States, shall be punishable by a fine of \$5,000 or imprisonment for one year, or both such fine and imprisonment as provided by the Act. Any person making such attempts shall be prosecuted by the Federal district attorney of the district having jurisdiction.

RULE IX

Exhibits

SECTION 1. When relevant and material matter offered in evidence by any party is embraced in a book, paper, or document containing other matter, not material or relevant, the party must plainly designate the matter so offered. If the other matter is so voluminous that it would unnecessarily encumber the record, such book, paper, or document will not be received in evidence but may be marked for identification and, if properly authenticated the relevant and material matter may be read into the record, or, if the Board so directs, a true copy of such matter in proper form, shall be received as an exhibit.

SECTION 2. Models, diagram and other matter forming part of the evidence should be placed in custody of the Board or its agents where the hearing is to take place at least one day before any case is heard or submitted.

RULE X

All matters and records, other than records of public proceedings, shall be treated as confidential during the pendency of any investigation, unless the Director or Secretary shall otherwise order.

RULE XI

Appeal

SECTION 1. Any person whose license or certificate of service or efficiency is revoked may within thirty days appeal from the order of the said Director to the Secretary of Commerce. On such appeal the appellant shall be allowed to be represented by counsel. The Secretary of Commerce may alter or modify any finding of the Board which conducted the investigation or of the Director of the Bureau of Marine Inspection and Navigation, but the decision of the Secretary of Commerce shall be based solely on the testimony received by the said board and shall recite the findings of fact on which it is based.

SECTION 2. Every appeal from the decision of the Director of the Bureau of Marine Inspection and Navigation shall be typewritten and shall set forth as briefly as possible the nature of the charge, shall declare the Board which heard the case, shall state the decision of the Director and shall contain the grounds for such appeal separately stated and shall be verified by the appellant or his counsel. The appeal shall take effect as of the date of filing with the Secretary of Commerce.

RULE XII

Witness Fees

SECTION 1. Witnesses summoned before the Board under Subsection E of Section 4 of the Act shall be paid on application for their actual travel and attendance, a fee not exceeding the rate allowed for fees to witnesses for travel and attendance in the district courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the District Courts of the United States. Forms of vouchers may be made out by any employee at a local office of the Bureau. Fees and travel allowance shall be paid after vouchers properly certified by a member of the Board conducting the hearing have been presented to the Assistant Disbursing Officer of the Treasury Department, if such officer is situated in the locality where the hearing is held; otherwise, by presenting said voucher to the Local Board of Local Inspectors of the Bureau of Marine Inspection and Navigation authorized by the Disbursing Officer of the Treasury Department to act as Agent Cashier.

RULE XIII

Computation of Time

SECTION 1. The time, within which, within any act, provided by these rules, or an order of the Board is to be done, shall be computed by excluding the first day and including the last unless the last day be Sunday or a legal holiday, in which case the time shall extend to and include the next

succeeding day that is not a Sunday or legal holiday; provided, however, that where the time fixed by these rules or an order of the Board is five days or less all intervening Sundays and legal holidays other than Saturday half holiday, shall also be excluded.

RULE XIV

Construction of Rules

SECTION 1. These rules and regulations shall be liberally construed to effectuate the purposes and provisions of the Act.

SECTION 2. These rules shall have the force and effect of the Act of May 27, 1936, amending Section 4450 R. S.

SECTION 3. Any of these rules or regulations may be amended or rescinded at any time after publication in the FEDERAL REGISTER.

SERIOUS MARINE CASUALTIES AND ACCIDENTS AND OTHER MATTERS COMING WITHIN THE SCOPE OF THE INVESTIGATION POWERS OF THE "B MARINE INVESTIGATION BOARD" AS PROVIDED BY THE ACT OF MAY 27, 1936, AMENDING SECTION 4450 R. S.

I. Serious marine casualties and accidents not involving loss of life shall include the following:

(a) Collisions between vessels resulting in a total property damage to hull or machinery amounting to \$20,000 or more or total loss of any vessel of 500 gross tons or over.

(b) Collisions between vessels either of which carries 200 or more passengers, or between two or more vessels, the gross tonnage of either vessel amounting to 8,000 tons.

(c) Collisions between a vessel and a lock, dock, pier, harbor bridge, jetty, breakwater, structure, beacon, cable, sunken object, etc., or any aid to navigation resulting in property damage to either vessel or object collided with or both amounting to \$20,000 or more.

(d) Fire on board a cargo vessel or tanker resulting in property damage amounting to \$10,000 or more to the vessel or \$15,000 or more to the cargo.

(e) Any fire not of a confined nature aboard a vessel carrying 100 or more passengers or inflammable cargo, such as gasoline, explosives, etc.

(f) Any main boiler explosion aboard a vessel where any person has sustained serious bodily injury.

(g) Any explosion aboard a vessel of 300 gross tons or over due to any cause resulting in property damage amounting to \$5,000 or more or the disablement of the vessel.

(h) The wrecking, sinking, or foundering of a vessel of 1,000 gross tons or over or of a vessel carrying 100 or more passengers.

(i) Abandonment of a vessel of 500 gross tons or over at sea or on inland waters.

(j) Grounding or stranding of a vessel resulting in property damage amounting to \$20,000 or more to bottom plates, keel, keel plates, floors, transverse frames, longitudinal frames, intercostals, or any other principal part of the hull or propulsion machinery.

(k) Disablement of a vessel of 10,000 gross tons or over at sea for which a proper cause is not apparent and the safety of the vessel, passengers, or crew has been placed in jeopardy regardless of whether the vessel has been towed into port or been rendered any other assistance.

II. Serious matters which shall be investigated by the "B Marine Investigation Board" shall include the following:

(a) When three or more persons have sustained serious bodily injuries as a result of any marine casualty or accident involving a vessel regardless of the nature of the casualty, the amount of property damage, size or type of vessel, etc.

(b) Complaints against licensed officers and holders of certificates of service or efficiency alleging incompetence, negligence, misconduct, intemperance, or any violation of any of the provisions of this title or any regulation issued thereunder when committed in connection with any serious marine casualty or accident as herein classified.

(c) Any vessel of 500 gross tons or over remaining unaccounted for after an unreasonable length of time has elapsed since the vessel was last heard from.

LESS SERIOUS CASUALTIES AND ACCIDENTS AND OTHER MATTERS COMING WITHIN THE SCOPE OF THE INVESTIGATION POWERS OF THE "C MARINE INVESTIGATION BOARD"

1. All marine casualties and accidents and other matters within the provisions of this Act, not involving loss of life, and not classified herein as serious shall be deemed and considered as less serious and investigated as such by representatives of the Bureau of Marine Inspection and Navigation designated by the Director thereof.

2. In the event the "C Marine Investigation Board" shall undertake to investigate any matter which, during the course of such investigation, the Board in its judgment should determine to be more properly within the jurisdiction of a "B Marine Investigation Board", then the said "C Marine Investigation Board" with the approval of the Director, shall certify such investigation to a "B Marine Investigation Board" for proper action. The Director, within his discretion, may certify any case pending before a "C Marine Investigation Board" to a "B Marine Investigation Board" for proper action.

[F. R. Doc. 2188—Filed, September 11, 1936; 4:46 p. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of September A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[File No. 21-258]

IN THE MATTER OF TRADE PRACTICE RULES FOR THE PRESERVE MANUFACTURING INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been had under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914 (38 Stat. 717),

It is now ordered, that the trade practice conference rules of Group I which have been approved by the Commission in this proceeding be, and the same are, hereby promulgated for the Preserve Manufacturing Industry, as follows:

Group I

The unfair trade practices which are embraced in Group I rules are considered to be unfair methods of competition within the decisions of the Federal Trade Commission and the Courts, and appropriate proceedings in the public interest will be taken by the Commission to prevent the use of such unlawful practices in or directly affecting interstate commerce.

Rule 1.

The practice of selling, advertising, describing, branding, marking, labeling, or packing of fruit preserves, fruit jams, fruit jellies, or apple butter, or any simulation thereof, in a manner which is calculated to mislead or deceive, or has the tendency and capacity or effect of misleading or deceiving, purchasers, prospective purchasers, or the consuming public, with respect to the character, nature, content, grade, quality, quantity, substance, material, preparation, or manufacture of such product, or in any other material respect, is an unfair trade practice.

For purposes of such Rule 1.

(a) Preserve, fruit preserve, jam, fruit jam, are understood to mean the clean, sound fruit product possessing definite characteristic flavor of the preserved fruit or fruits named on the label, made by cooking or concentrating to a suitable consistency properly prepared, clean, sound, entire

edible portion of fresh fruit, cold-packed fruit, canned fruit, or a mixture of two or all of these, with sugar or with sugar and water, with or without spice or vinegar, or with such harmless organic acids as may be necessary to compensate for natural acid deficiency of the particular fruit used, but excluding acids or acid salts generally recognized as chemical preservatives, and in the preparation of which fruit product there is used not less than forty-five (45) pounds of actual fruit to each fifty-five (55) pounds of sugar. In the case of fruits deficient in pectin, or whose composition or texture prevent the preparation of preserve or jam as defined herein of the desired consistency, nothing herein shall prevent the addition of small quantities of pectin or pectinous material: *Provided, however,* That if such pectin or pectinous material is added, the ratio of not less than forty-five (45) pounds of fruit to each fifty-five (55) pounds of sugar shall be maintained, and the finished product containing such added pectin shall contain not less than sixty-eight (68) per centum water-soluble solids derived from the fruit and sugar used in its manufacture, as determined by refractometer at twenty degrees (20°) centigrade without correction for the insoluble solids present.

(b) Jelly, fruit jelly, is understood to mean the clean, sound, semisolid, gelatinous fruit product possessing definite characteristic flavor of the fruit or fruits named on the label, made by concentrating to a suitable consistency the strained juice, or the water extract, from fresh fruit, from cold-packed fruit, from canned fruit, or from a mixture of two or all of these, with sugar. In the case of fruits whose composition prevents the preparation of jelly of the proper texture, nothing herein contained shall prevent the use of the small quantity of pectin or pectinous material necessary to produce the proper consistency; and in the use of fruits having a natural acid deficiency, nothing herein shall prevent the use of such harmless organic acids as may be necessary to compensate for natural acid deficiency of the particular fruit used, but excluding acids or acid salts generally recognized as chemical preservatives; provided, however, that such jelly containing such added pectin or pectinous material or such added acidulants shall contain not less than sixty-five (65) per centum water-soluble solids derived from the fruit and sugar used in its manufacture, as determined by refractometer at twenty degrees (20°) centigrade, and its composition shall correspond to a ratio of not less than fifty (50) pounds of actual pure fruit juice, exclusive of added water, to each fifty (50) pounds of sugar in the original batch.

(c) Apple butter is understood to mean the clean, sound product made by cooking or concentrating with sugar or apple juice, or both, the properly prepared, clean, sound, edible portion of apples (either fresh, cold-packed, canned, or evaporated) to a homogeneous semisolid consistency with or without vinegar, salt, and spice, or with such harmless organic acids as may be necessary to compensate for natural acid deficiency of the fruit used, but excluding acids or acid salts generally recognized as chemical preservatives; and which apple butter contains not less than forty-three (43) per centum water-soluble solids as determined by refractometer at twenty degrees (20°) centigrade without correction for the insoluble solids present, and be prepared with not more than twenty (20) pounds of sugar to each fifty (50) pounds of such edible portion of fresh apples, or of their equivalent in cold-packed, canned, or evaporated apples, exclusive of the cores, seeds, and skins.

(d) Corn syrup preserve, corn syrup jam, corn syrup jelly and corn syrup apple butter are understood to be fruit products conforming respectively to those specified in paragraphs (a), (b), and (c) above, but in the manufacture of which corn syrup has been substituted wholly for sugar. Corn syrup and sugar preserve, corn syrup and sugar jam, corn syrup and sugar jelly, and corn syrup and sugar apple butter are understood to be fruit products conforming respectively to those specified in paragraphs (a), (b), and (c) above, but in the manufacture of which a combination of corn syrup with a substantial amount of sugar has been substituted for all sugar. Advertising, representing, branding, or labeling of any such

products as preserve, jam, jelly or apple butter without fully disclosing that the product is such corn syrup or corn syrup and sugar preserve, jam, jelly, or apple butter, as the case may be, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers or the consuming public, is an unfair trade practice within the meaning of Rule 1.

(e) Honey preserve, honey jam, honey jelly, honey apple butter, are understood to mean fruit products conforming respectively to those specified in paragraphs (a), (b), and (c) above but in the manufacture of which honey has been substituted wholly for sugar. Advertising, representing, branding, or labeling of any such honey product without fully disclosing that the same is honey preserve, honey jam, honey jelly, or honey apple butter, as the case may be, or without setting forth the word "honey" as prominently or conspicuously as any other word used as descriptive of the product, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice within the meaning of Rule 1.

(f) When advertising, representing, branding, or labeling any preserve, jam, or jelly containing substantial amounts of two or more fruits, although made in conformity with the applicable requirements of paragraphs marked (a), (b), (d), or (e), the kinds of fruit so contained in such products should be prominently and conspicuously disclosed and named on the label in the order of their predominance by weight. Advertising, representing, branding, or labeling of any preserve, jam, or jelly as containing two or more fruits when each such fruit is not present in substantial and characterizing amounts, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice within the meaning of Rule 1.

(g) The word sugar as hereinabove used means sucrose or dextrose, or a combination thereof.

Rule 2.

The practice of advertising, labeling, branding, selling or offering for sale an imitation preserve, jam, jelly, or apple butter, without clearly and prominently disclosing therein that the product is such imitation, with the tendency and capacity or effect of misleading or deceiving purchasers, prospective purchasers or the consuming public, is an unfair trade practice.

For the purposes of such Rule 2.

(a) Products which contain a smaller proportion of fruit than specified in the applicable requirements set forth in paragraphs marked (a), (b), (c), (d), and (e), or which otherwise fail to conform with the applicable minimum requirements set forth in such paragraphs, respectively, and which simulate or imitate preserves, jams, jellies, or apple butter as described in such paragraphs, and which are used or sold for the same purpose, except fruit pie filling, fruit sauce, fruit butter other than apple butter, mint, wine, and calvesfoot jellies, described, represented, labeled, and sold as such, and preserved citrus fruit products, is understood to be imitation preserve, imitation jam, imitation jelly, or imitation apple butter, respectively; and to avoid deception and confusion of the purchasing public they should be described, represented, labeled and sold as such respective imitation products.

Rule 3.

Withholding from or inserting in the invoice statements which make the invoice a false record, wholly or in part, of the transaction represented on the face thereof, with the purpose or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice.

Explanatory Statement.

These rules do not, in any respect, supplant or relieve anyone of the necessity of complying with the legal requirements of the pure food laws or other provisions of law. They are established under the Federal Trade Commission Act for the

purpose of more effectively stamping out unfair competitive practices in the interest of the public, and to assist in general law enforcement to this end.

By the Commission.

[SEAL]

C. G. DUGANNE, *Acting Secretary.*

[F. R. Doc. 2174—Filed, September 11, 1936; 11:54 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Fourth Section Application No. 16505]

CANNED GOODS FROM INDIANA TO TENNESSEE

SEPTEMBER 11, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: B. T. Jones, Agent, pursuant to Fourth-Section Order No. 9890.

Commodities involved: Canned goods and other articles, in carloads.

From: Points in Indiana.

To: Jackson and Memphis, Tenn.

Grounds for relief: Carrier competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2175—Filed, September 11, 1936; 12:02 p. m.]

[Fourth Section Application No. 16506]

COTTONSEED CAKE AND MEAL TO NORTH ATLANTIC PORTS

SEPTEMBER 11, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: J. E. Tilford, Agent.

Commodities involved: Cottonseed cake and meal, in carloads.

From: Points in Carolina Zones 1 and 2.

To: Baltimore, Md., Philadelphia, Pa., New York and Brooklyn, N. Y., Boston, Mass., and Providence, R. I., and points taking same rates, via rail and water routes.

Grounds for relief: Carrier competition and to maintain grouping.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2176—Filed, September 11, 1936; 12:02 p. m.]

[Fourth Section Application No. 16507]

RAIL-OCEAN RATES BETWEEN PORTS IN TRUNK LINE AND NEW ENGLAND TERRITORIES AND PORTS IN TENNESSEE

SEPTEMBER 11, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: J. E. Tilford, Agent

Commodities involved: Rates prescribed in *East Tennessee Border Traffic Assn. v. A. C. & Y. Ry. Co.*, 214 U. S. 316.

Between: Points in Trunk Line and New England territories, on the one hand, and points in Tennessee, on the other. Grounds for relief: Carrier competition; to maintain grouping; short or weak line carrier.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] **GEORGE B. MCGINTY, Secretary.**

[F. R. Doc. 2177—Filed, September 11, 1936; 12:02 p. m.]

[Fourth Section Application No. 16508]

SUGAR FROM SAVANNAH AND PORT WENTWORTH, GA., TO COLUMBIA, S. C.

SEPTEMBER 11, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: J. E. Tilford, Agent.
Commodity involved: Sugar, in carloads.
From: Savannah and Port Wentworth, Ga.
To: Columbia, Ga.
Grounds for relief: Circuitous routes.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] **GEORGE B. MCGINTY, Secretary.**

[F. R. Doc. 2178—Filed, September 11, 1936; 12:03 p. m.]

[Fourth Section Application No. 16509]

LUMBER FROM FERRIDAY, LA., TO LAKE CHARLES, LA.

SEPTEMBER 11, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: Missouri Pacific Railroad Company.
Commodities involved: Lumber and related articles, carloads.
From: Ferriday, La.
To: Lake Charles, La., for export and coastwise movement.
Grounds for relief: Port competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] **GEORGE B. MCGINTY, Secretary.**

[F. R. Doc. 2179—Filed, September 11, 1936; 12:03 p. m.]

RESETTLEMENT ADMINISTRATION.

[Administration Order 188¹]

DELEGATION OF AUTHORITY TO GRANT EASEMENTS AND RIGHTS-OF-WAY ON LAND USE PROJECTS

AUGUST 13, 1936.

1. The Assistant Administrator in charge of Land Utilization is authorized to grant, on behalf of the United States

¹Supplements A. O. 176, 6/23/36; par. 3b, FI-LU 34, 3/9/36.

of America and the Resettlement Administration, easements and rights-of-way to states, counties, municipalities, other governmental subdivisions or agencies, public utility corporations or companies, and individuals for the purpose of constructing highways, roads, power lines, telephone lines, irrigation and drainage ditches, and for similar purposes, on land purchased by the United States in connection with land use projects of this Administration, provided that:

(a) Title to the land has vested in the United States,

(b) The particular tract or tracts of land over which the easements or rights-of-way are desired are still needed in connection with a land use project. If a tract of land is no longer needed in connection with a land use project, this Order delegates no authority to grant an easement or right-of-way over it, and

(c) Such easements or rights-of-way will not interfere or be incompatible with the proposed use and future administration of the project.

2. The Assistant Administrator in charge of Land Utilization shall determine in each instance whether or not an easement or right-of-way shall be granted. His action in granting an easement or right-of-way, however, shall be sufficient evidence of such determination.

3. If the granting of an easement or right-of-way will result in a benefit to the project, a financial consideration need not be required.

4. If the granting of an easement or right-of-way will not result in a benefit to the project, a financial consideration shall be required, but it may, in the discretion of the Assistant Administrator in charge of Land Utilization, be nominal.

5. Before any easement or right-of-way is granted by virtue of the authority contained in this Order, it shall be submitted to and approved by the Legal Division.

R. G. TUGWELL, Administrator.

[F. R. Doc. 2171—Filed, September 10, 1936; 1:01 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-McNABB PARK COMMUNITY FARM FILED ON SEPTEMBER 8, 1936, BY W. E. COOK, RESPONDENT
SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340(A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that Item 13, Division II, states that "It now appears that this (North) extension is proving to be one of the best and most prolific areas in the entire field."

(2) In that the figures for June and July in Item 16(c), Division II, are miscalculated.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 10th day of October, 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and

affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 25th day of September 1936, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS, Acting Secretary.

[F. R. Doc. 2186—Filed, September 11, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-POWELL FARM FILED ON SEPTEMBER 4, 1936, BY W. E. COOK, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

In that Item 13, Division II, states that "it now appears that this (North) extension is proving to be one of the best and most prolific areas in the entire field."

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 10th day of October 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 25th day of September 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiners directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS, Acting Secretary.

[F. R. Doc. 2184—Filed, September 11, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-ROANOKE FARM, FILED ON SEPTEMBER 4, 1936, BY W. E. COOK, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

In that Item 13, Division II, states that "it now appears that this (North) extension is proving to be one of the best and most prolific areas in the entire field."

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 10th day of October 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 25th day of September 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS, Acting Secretary.

[F. R. Doc. 2182—Filed, September 11, 1936; 12:47 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE CONTINENTAL-RISE FARM, FILED ON SEPTEMBER 4, 1936, BY CHESTER LINES, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that in the second paragraph, Page 1, Division I, the clause "or disapproved" is omitted;

2. In that in Item 13, Division II, statements are made which are deemed not to be a recital of the history or facts of

the field as required, particularly in Paragraphs 2 and 3 thereof;

3. In that Item 18. (b), Division II, is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 10th day of October 1936 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and:

It is further ordered, that Charles S. Moore, an officer of the Commission, be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 25th day of September 1936 at 3:00 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS, *Acting Secretary.*

[F. R. Doc. 2181—Filed, September 11, 1936; 12:47 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SHELL-McPHERSON-GIFFIN "A" FARM, FILED ON SEPTEMBER 4, 1936, BY KENT K. KIMBALL, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that Item 1, Division II, has omitted that portion of the text referring to the present price of oil per barrel, and the price of oil and gas;

2. In that the production for May in Item 16 (c), Division II, is miscalculated;

3. In that in Division III insufficient reasons are given for assuming the undeveloped portion of the tract will be productive in the Viola Lime;

4. In that in Division III insufficient data is given to support the assumption that in the event the undeveloped portion proves productive, the initial potential will equal the average initial potential of the present producing wells;

5. In that in Division III insufficient reasons are given for believing that the two present gas wells in the Chat horizon will eventually produce oil with an initial production equivalent to that of the present producing oil well now in the Chat horizon;

6. In that insufficient reasons have been given in Division III for the belief that the undeveloped portion of the Chat

horizon will produce oil in the same quantities as the well completed five years ago;

7. In that in Division III insufficient data is given in support of the statement with respect to the pressure necessary to result in the ultimate production from future gas wells as claimed;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 10th day of October 1936 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet, as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 25th day of September 1936 at 11:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS, *Acting Secretary.*

[F. R. Doc. 2187—Filed, September 11, 1936; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TEXAS-MARIE HAGERTY FARM, FILED ON SEPTEMBER 4, 1936, BY LANDOWNERS ROYALTIES CO., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that Item 18 (a) (viii) and Item 19, both in Division II, appear inconsistent and misleading in the absence of engineer's estimation through the medium of a Division III;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 10th day of October 1936 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and

affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 25th day of September 1936 at 2:00 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS, *Acting Secretary.*

[F. R. Doc. 2183—Filed, September 11, 1936; 12:47 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE HOLLENBACK ET AL.—PIERCE FARM, FILED ON SEPTEMBER 4, 1936, BY SUPREME OIL, INC., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that Items 11 (a), (e), and (f), of Division II, have not fully disclosed the information to enlighten the purchaser of such interests with respect to the outstanding lien;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 10th day of October 1936 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 25th day of September 1936 at 4:00 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS, *Acting Secretary.*

[F. R. Doc. 2185—Filed, September 11, 1936; 12:48 p. m.]

Tuesday, September 15, 1936

No. 131

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

MODIFICATION OF EXECUTIVE ORDER NO. 7070 OF JUNE 12, 1935, PRESCRIBING REGULATIONS GOVERNING APPOINTMENTS OF EMPLOYEES PAID FROM EMERGENCY FUNDS

By virtue of and pursuant to the authority vested in me as President of the United States, paragraphs 3 and 4 of Executive Order No. 7070 of June 12, 1935, prescribing regulations governing appointments of employees paid from emergency funds, are hereby modified so as to make said paragraphs inapplicable to the appointment or employment of any person serving in one of the executive departments, independent establishments, or administrative agencies who may hereafter be given appointment in another executive department, independent establishment, or administrative agency from a certificate issued by the Civil Service Commission: *Provided*, That any such person may not be employed at a salary higher than that authorized by the Commission's certificate, and may not thereafter be promoted or given an increase in compensation until after the expiration of six months from the date of employment.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
September 11, 1936.

[No. 7446]

[F. R. Doc. 2190—Filed, September 12, 1936; 11:23 a. m.]

EXECUTIVE ORDER

DUTIES AND FUNCTIONS OF THE UNITED STATES HIGH COMMISSIONER TO THE COMMONWEALTH OF THE PHILIPPINE ISLANDS IN CONNECTION WITH PROCEEDINGS INVOLVING THE EXTRADITION OF FUGITIVES FROM JUSTICE TO AND FROM THE COMMONWEALTH OF THE PHILIPPINE ISLANDS

By virtue of the authority vested in me by the provisions of Section 7 (4) of the Act of Congress approved March 24, 1934 (43 Stat. 456, 461, United States Code, Title 48, Section 1237), entitled "An Act To provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes", and in view of the provisions of Section 2 (a) (10) of the same Act, I do hereby delegate to the United States High Commissioner to the Commonwealth of the Philippine Islands the performance of the duties and functions hereinafter described in connection with proceedings involving the extradition of fugitives from justice to and from the Commonwealth of the Philippine Islands.

1. The United States High Commissioner shall receive all requests of the Chief Executive of the Commonwealth of the Philippine Islands for the extradition of fugitives from the justice of said Commonwealth found in countries foreign to the United States of America and he shall transmit such requests to the Secretary of State of the United States except that where the fugitive or fugitives sought shall have been found in Japan or within the consular jurisdiction of the American consular officer at Hong Kong, at Singapore, at Bombay, at Calcutta, at Hobart (Tasmania), at Colombo, at Auckland, at Melbourne, or at Sydney (Australia) the United States High Commissioner may, in his discretion, transmit such request directly to the American Ambassador at Tokyo, Japan, or to the appropriate American consular officer, as the case may be, and such Ambassador or consular officer is hereby authorized, upon the receipt of the request from the United States High Commissioner, to make requisition for the extradition of the fugitive or fugitives without awaiting instructions from the Secretary of State.